

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

JAMES HAIR,

Defendant.

CRIM. NO. JKB-18-0204

\* \* \* \* \*

**MEMORANDUM AND ORDER**

Pending before the Court is James Hair's Motion to Appoint Counsel. (ECF No. 92.) No hearing is necessary. *See* Local Rules 105.6 (D. Md. 2021). For the reasons set forth below, the Motion will be denied without prejudice.

There is no right to appointed counsel in post-conviction proceedings. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987) ("The right to appointed counsel extends to the first appeal of right, and no further."). However, the Court has discretion to appoint counsel. *See, e.g., United States v. Wylie*, Crim. No. KDB-18-0054, 2021 WL 5406880, at \*1 (W.D.N.C. Nov. 18, 2021) ("There is no general constitutional right to appointed counsel in post-conviction proceedings [but the] Court has discretion to appoint counsel in proceedings under 18 U.S.C. § 3582(c) if the interests of justice so require."). In the instant case, however, Hair has not demonstrated that the interests of justice warrant the appointment of counsel. Hair references a motion for compassionate release, but does not provide any information showing that his particular circumstances merit the appointment of counsel.

Accordingly, it is ORDERED that Hair's Motion to Appoint Counsel (ECF No. 92) is DENIED WITHOUT PREJUDICE.

Dated this 12 day of April, 2023.

FOR THE COURT:

A handwritten signature in blue ink, reading "James K. Bredar", written over a horizontal line.

James K. Bredar  
Chief Judge